

REMARKS

Claims 1-21 are pending in the application. Applicants assume that the Office Action Summary is incorrect in stating that Claims 1-21 are withdrawn from consideration, but clarification is requested.

Applicants have amended Claims 1 and 11 back to the original subject matter of aliphatic, cyclic and/or aromatic carboxylic acids. Support for cyclic acids can be found at page 5, lines 3 – 6.

Two new claims are added directed to the color value of the polyisocyanate product. Support for the new claims can be found in the specification at page 3, lines 28-29, which states that using the methods of the present invention polyisocyanate products having a color value of < 120 [APHA] are obtained.

Rejections Under 35 U.S.C. 103(a)

Claims 1-7 and 11-17 remain rejected under 35 U.S.C. 103(a) as being obvious over U.S. Patent No. 5,580,947 to Brahm et al. Applicants respectfully traverse this rejection.

Brahm teaches a process for making olefinically unsaturated isocyanates which are substantially free of acylurea (col.2, line 66). This is achieved by the use of equimolar amounts of isocyanate and carboxylic acid, and provides a product which is crystallization stable and has low viscosity, due to the balanced ratio of isocyanate groups, amide groups and double bonds. There is no disclosure in Brahm regarding the attainment of colorless products, and the use of a catalyst is not disclosed for that purpose.

In contrast, the present invention provides a process for producing polyisocyanates with acylurea groups. The use of a metal salt catalyst has surprisingly been found to permit the attainment of colorless polyisocyanates having acylurea groups. Absent the hindsight provided by the present invention, one skilled in the art would not look to Brahm for guidance, since Brahm teaches a completely different product. Additionally, as stated in the present application at page 8, lines 4-9, not all catalysts will provide the desired properties. There is no teaching in

Brahm that would lead one skilled in the art to the metal salt catalysts in particular, as compared to the amine catalysts listed in Brahm, to provide the desired properties. For all of these reasons, the present invention is not obvious in view of Brahm.

Claims 1-21 remain rejected under 35 U.S.C. § 103(a) as being obvious over U.S. Patent No. 3,970,600 to Falkenstein et al. in view of Brahm; and as obvious over U.S. Patent No. 4,616,061 to Henning et al. in view of Brahm. The Examiner asserts that although Falkenstein and Henning do not disclose using a catalyst, it would have been obvious to use the catalyst of Brahm in the process of Falkenstein or Henning in order to accelerate the reaction. Applicants respectfully traverse this basis of rejection.

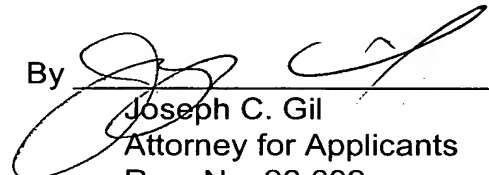
Applicants respectfully submit that Brahm cannot be combined with the secondary references, Falkenstein or Henning, to arrive at the present invention. As noted above, Brahm teaches a different product. None of the references provide the missing teaching, namely how to solve the problem of making polyisocyanates having acylurea groups colorless. The use of a metal salt catalyst, as recited in claim 1, solves this problem. Therefore, the present invention is not obvious in view of Brahm, either alone or combined with Falkenstein or Henning. Applicants respectfully request that all §103 rejections be withdrawn.

CONCLUSION

For all of the above reasons, Applicants submit that claims 1-21 are in condition for allowance; such action is respectfully requested at an early date.

Respectfully submitted,

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